

ASSEMBLY BILL

No. 2178

Introduced by Assembly Member Jones

February 23, 2012

An act to amend Section 30106 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2178, as introduced, Jones. Coastal resources: California Coastal Act of 1976: coastal development.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined. For purposes of the act, “development” is defined to mean, on land, or in water, among other things, the placement or erection of any solid material or structure, as defined. For purposes of that definition, “structure” includes, but is not limited to, any buildings, road, pipe, flume, conduit, siphon, aqueduct, telephone line, or electrical power transmission and distribution line. The act requires that the scenic and usual qualities of coastal areas be considered and protected as a resource of public importance.

This bill would specify that, for purposes of the act, “structure” does not include the construction or erection of a flagpole on land or water in the coastal zone. The bill would further prohibit the construction or erection of a flagpole on land or water in the coastal zone from being determined to adversely impact the scenic or visual qualities of coastal areas.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 30106 of the Public Resources Code is amended to read:

30106. (a) (1) “Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As

(2) As used in this section, “structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. “Structure” does not include the construction or erection of a flagpole on land or water in the coastal zone. The construction or erection of a flagpole on land or water in the coastal zone shall not be determined to adversely impact the scenic or visual qualities of coastal areas, as described in Section 30251.

O